

**DETAILED ACTION**

**Response to Amendment**

1. This Office Action is in response to Applicant's response filed on 8 July 2009.
2. Claims were not amended.
3. Claims 1-25, 27 and 28 are pending and have been examined in this application.
4. Claim 26 was previously cancelled.

**Response to Arguments**

5. The rejection of **Claims 21-25** under 35 U.S.C. § 101 is respectfully withdrawn based on Applicant's arguments.
6. The rejection of **Claims 21-25** under 35 U.S.C. § 112, second paragraph is respectfully withdrawn.
7. The Examiner thanks the Applicant for pointing out the structure within the Specification for supporting **Claims 10-11**, therefore the Examiner respectfully withdraws the rejection of **Claims 10-11** under 35 U.S.C. § 112, sixth paragraph.
8. With regards to **Claim 9** which cites "*value apparatus for managing electronic values as a notification informing said information-processing apparatus.*" Applicant's cited paragraphs {0176, 0253, 0260 and 0256} as providing the structural support for this claim, the Examiner must disagree there is no support for informing said information-processing apparatus.
9. With further regards to **Claim 9** which cites "*for storing personal information of said user as an electronic-value payment to said information-processing apparatus;*" Applicant's cited paragraphs {0176, 0253, 0260 and 0256} as providing the structural support for this claim, the Examiner must disagree there is no support for electronic-value payment to said information-processing apparatus.
10. With further regards to **Claim 9** which cites "*utilization-right issuance means for issuing a right to utilize a resource provided by said information-processing apparatus to said main apparatus...*" Applicant's cited paragraphs {0176, 0253, 0260 and 0256} as providing the structural

support for this claim, the Examiner must disagree there is no support for utilize a resource provided by said information-processing apparatus.

11. With further regards to **Claim 9** which cites “*terminal shows a right obtained from said main apparatus to said information-processing apparatus.*” Applicant’s cited paragraphs {0176, 0253, 0260 and 0256} as providing the structural support for this claim, the Examiner must disagree there is no support. Paragraph [0168] and Fig.8 discloses “CPU61 produces a result of determination as to whether or not the search for devices has been approved by the main apparatus 12-1. Such an approval of the search for devices is transmitted to the mobile terminal 11-2 by the main apparatus 12-1...” Paragraphs [0210 and 0211] and Fig.9 complete the process of approving and providing the terminal with the requested resource. Therefore based on the items above regarding Claim 9, the rejection of Claim 9 under 35 U.S.C. § 112, sixth paragraph is maintained.

12. Applicant argues with regard to **Claim 15**, specifically the electronic-value payment request, that paragraph [0226] in the specification provides the structure to support this limitation. Respectfully, the Examiner must disagree as paragraph [0226] provides for a main apparatus 12-2 and for a second main apparatus 12-1 Where 12-2 transmits a value transfer request to the value issuance apparatus 14 to make a payment on behalf of 12-2 to 12-1 for a resource of 12-1. Claim 15 cites “*a price to provide a resource from a main apparatus for providing said resource to said terminal, to said main apparatus in accordance with a request made by said terminal.*” This clearly indicates a single main apparatus and a single terminal. The rejection of **Claim 15** under 35 U.S.C. § 112, sixth paragraph is maintained.

13. The rejection of **Claims 16-17** under 35 U.S.C. § 112, sixth paragraph is respectfully withdrawn as structural support for these claims was found in paragraphs [0361, 0346 and 0351] of the Specification.

14. The rejection of **Claim 21** under 35 U.S.C. § 112, sixth paragraph is respectfully withdrawn as structural support for this claim is found in paragraph [0226] of the Specification.

15. Applicant argues regarding the rejection of **Claims 1 to 25, 27 and 28** under 35 U.S.C. § 103(a) as being improper because the Office Action did not establish a *prima facie* case of obviousness because

it fails to consider and give weight to all of the claimed elements, and fails to clearly articulate the reasons why the Office Action interprets the claimed invention to be obvious. Respectfully, the Examiner must disagree the rejection of the claims included all elements and the rejection is clearly articulated in the Office Action.

16. Applicant further argues regarding the rejection of **Claims 1, 2, 7 and 8** under 35 U.S.C. § 103(a) that *"Takayama fails to disclose or render obvious, at a minimum, an information-processing system which includes a terminal 'transmitting a signal making a request for a resource provided by said first main apparatus to said second main apparatus through said first main apparatus.'"*  Respectfully, the Examiner must disagree. Takayama in at least Fig.5 and paragraph [0129] discloses that in the case of obtaining/purchasing the electronic value from the electronic value issuing server 2, the mobile electronic wallet 5b generates the issue request for the electronic value first and transmits it to the electronic value issuing server 2, the electronic value that the electronic value issuing server 2 has issued based on the issue request for the electronic value is transmitted to the electronic wallet 7a. Without some noted deficiency being corrected over the prior art there is not any patentable feature / advantage of having additional apparatus (servers, etc.) through which a mobile terminal requests access to a resource. Both the invention and Takayama are about a mobile terminal (wireless device) requesting access (which requires the transfer of electronic value from the requester to the resource) to a resource. The Applicant's invention and Takayama can both communicate with or through the resource. Therefore, the Examiner maintains that Claims 1, 2, 7 and 8 are properly rejected and remain rejected.

17. Applicant further argues regarding the rejection of **Claims 1, 9, 13 and 14** under 35 U.S.C. § 103(a) that, *"Takayama fails to disclose or suggest, at a minimum, an information-processing system which includes a first main apparatus for allowing the terminal to utilize a resource and for receiving a payment notification from said value apparatus as a notification informing said first main apparatus that an electronic value presenting a price to utilize a resource has been paid from said second main apparatus as an electronic-value payment to said first main apparatus."* Respectfully the Examiner must disagree. Takayama in at least paragraph [0023 and 0024] discloses a system which responds to a user's request for an electronic value to purchase a service on the network or

a service in the real world while ensuring security and economical efficiency. Also see the response above. Therefore, the Examiner maintains that Claims 1, 9, 13 and 14 are properly rejected and remain rejected.

18. Applicant further argues regard the rejection of **Claim 1, 15, 19 and 20** under 35 U.S.C. § 103(a) that, "*Takayama fails to disclose or suggest, at a minimum, an information-processing system which includes a second main apparatus 'for requesting said value apparatus to make an electronic-value payment for an electronic value to said first main apparatus in accordance with a signal received from said terminal as a signal making a request for a resource.'*" Respectfully the Examiner must disagree. Takayama in at least paragraph [0237 and 0238] discloses a mobile terminal requesting an item from a service server (automatic ticket or other item vending machine) and simultaneously providing the electronic value to the service server and the electronic value bank. Also see the response above. Therefore, the Examiner maintains that Claims 1, 15, 19 and 20 are properly rejected and remain rejected.

19. Applicant further argues regard the reject of **Claim 1, 21, 27 and 28**, that "*Takayama fails to disclose or suggest, at a minimum an information-processing system which includes a value apparatus for 'making an electronic-value payment to said first main apparatus in accordance with a request received from said second main apparatus.'*" Respectfully the Examiner must disagree. See above and the Office Action below.

#### ***Claim Rejections - 35 USC § 112***

20. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

21. **Claim 9** has "*means plus function*" limitations that invoke 35 U.S.C. 112, sixth paragraph. However the written description fails to disclose the corresponding structure, material, or act for the claimed function. The claim elements disclose the following functions informing said information-processing apparatus, electronic-value payment to said information-processing apparatus, utilize a

resource provided by said information-processing apparatus, and terminal shows a right obtained from said main apparatus to said information-processing apparatus, however the written description fails to sufficiently disclose the structure for performing the functions as recited in these claims. See MPEP §§ 6.08.01(o) and 2181 and 37 CFR 1.75(d). Proper correction is required.

22. **Claim 15** has "*means plus function*" limitation that invokes 35 U.S.C. 112, sixth paragraph. However the written description fails to disclose the corresponding structure, material, or act for the claimed function. Claim 15 cites "*electronic-value payment request means for requesting a value apparatus for managing electronic values to make an electronic-value payment, which is a payment for an electronic value representing a price to provide a resource from a main apparatus for providing said resource to said terminal, to said main apparatus in accordance with a request made by said terminal;*" however the written description fails to sufficiently disclose the structure for performing the functions as recited in these claims. See MPEP §§ 6.08.01(o) and 2181 and 37 CFR 1.75(d). Proper correction is required.

#### ***Claim Rejections - 35 USC § 103***

23. **Claims 1-25 and 27-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Takayama et al., US 2004/0103063 A1, henceforth known as Takayama.

**Claims 1-2, 4, 7-9, 13-15, 19-20 and 27-28:**

With regard to the system limitations comprised of:

- A terminal operated by a user for requesting a resource through a second main apparatus that is provided by the first main apparatus;
- Acquiring a right to utilize the resource;
- A first main apparatus for providing a resource comprised of a payment-notification receiver for receiving from the value apparatus notification that an

*electronic-value for utilizing a resource has been paid by the second main apparatus;*

- *The first main apparatus allowing the terminal to utilize the resource provided by the first main apparatus when said terminal shows a right to utilize the resource;*
- *A second main apparatus for requesting an electronic-value payment from a value apparatus to a first main apparatus when a terminal requests a resource;*
- *Acquiring a resource utilization right issued by the first main apparatus in accordance with an electronic-value payment;*
- *A value apparatus comprised of a means for making an electronic-value payment to the first main apparatus in accordance with a request received from the second main apparatus; and*
- *A payment-notification sender for transmitting a payment notification to first main apparatus of an electronic-value payment.*

Takayama in at least Fig.1 and paragraphs [0126 and 0127] discloses an electronic value issuing server 2 (value apparatus), a service server 3 (first main apparatus), a user's portable terminal 5 and a private electronic value bank 7 via a network 1. Takayama in at least Fig.2 and paragraph [0129] further discloses a portable terminal 5 attached with a smart card 5a and able to operate the electronic value cached in the mobile electronic wallet 5b (second main apparatus) and the electronic value controlled in the electronic wallet 7a of the bank 7.

Takayama in at least Fig.5 discloses the second main apparatus making an electronic value issue request to a value apparatus 2 for a service/resource provided by (Fig.1) a first main apparatus 3. Also disclosed is a first main apparatus receiving a payment-notification from a value apparatus 2 for use of a resource paid for by the second main apparatus.

Takayama in at least Fig.1 further discloses the portable terminal receiving a service/resource utilization right issued by the first main apparatus service server 3 to a user terminal which has requested a resource.

Takayama in at least Fig.2 and paragraph [0210] discloses that the electronic value purchase request may include a certificate of a third party which shows that the price has been paid.

**Claims 3, 11 and 16-17:**

With regards to the limitation of an information-processing apparatus of Claim 2:

- ***A means for authenticating a user in conjunction with a second main apparatus based on personal information stored in the second main apparatus.***

Takayama in at least paragraph [0127] the use of personal authentication information (e.g. PIN – Personal Identity Number) for authenticating a user.

**Claim 5:**

With regard to the limitation of an information-processing apparatus of Claim 2:

- ***Wherein resource-request signal sender (terminal) and the utilization-right acquisition means (first main apparatus) exchange data with the second main apparatus by encrypting data.***

Takayama in at least paragraph [0282] discloses that the exchange of data between all parties is data encrypted.

**Claims 6, 12, 18 and 25:**

With regard to the limitation of an information-processing apparatus of Claim 2:

- ***Wherein the resource/service is an apparatus, information, or a license issued for information.***

Takayama in at least paragraph [0252] discloses that the service may be a music download service, a bill payment service and in paragraph [0251] obtaining money transfer information.

**Claim 21:**

With regard to the limitations of the information-processing apparatus for managing electronic values:

- *Electronic-value payments means for making an electronic-value payment to the first main apparatus for providing a resource requested by a user made by a second main apparatus for storing personal information of the user;*
- *Payment-notification sender for transmitting payment notification to first main apparatus that an electronic-value payment was made to the first main apparatus from the second main apparatus; and*

Takayama in at least Fig.5 discloses the second main apparatus making an electronic value issue request to a value apparatus 2 for a service/resource provided by (Fig.1) a first main apparatus 3. Also disclosed is a first main apparatus receiving a payment-notification from a value apparatus 2 for use of a resource paid for by the second main apparatus.

- *An electronic-value managing means for managing an account by using an apparatus ID included in a certificate or by using an ID associated with the apparatus ID.*

Takayama in at least paragraphs [0127, 0128 and 0134] discloses the use of a PIN for authenticating a user and the use of a digital certificate and a private key when using the electronic credit card or debit card for a purchase. Takayama in at least paragraphs [0151 and 0158] further discloses the use of a session number when conducting a financial transaction.

**Claim 22:**

With regard to the limitation for the information-processing apparatus for managing electronic values of claim 21:

- *Including an authentication means for authenticating said information-processing apparatus itself in conjunction with the first and second main apparatus as a valid apparatus for managing electronic values.*

Takayama in at least paragraph [0037] discloses that the private electronic value bank system of the present invention is also characterized in that the portable terminal transmits an electronic value issue request message including issue instruction information and purchase instruction information, which has been encrypted. Takayama does not specifically disclose an authentication means for the value apparatus per se, however in at least paragraph [0038] Takayama discloses that security in issuing the electronic value via the network and its settlement can be improved. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to modify Takayama with additional security and authentication features to validate the various apparatus with the motivation of increasing security of the related transactions.

**Claim 23:**

With regard to the limitation for the information-processing apparatus of claim 21:

- *Including a storage means for storing electronic value of said first and second main apparatus, wherein said electronic-value payment means makes an electronic-value payment from the second main apparatus to the first main apparatus by renewing electronic value stored in said storage means.*

Takayama does not specifically disclose that the value apparatus (value issuing server) stores the electronic value per se. However Takayama in at least Fig.3, Fig.5 and paragraphs [0160-0173] discloses that the value apparatus (value issuing server 2) generates the electronic value and transmits it to the electronic wallet. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to modify the value apparatus with a storage means for the storage of the electronic value with the motivation of securely storing the electronic values which the value apparatus transmits to the electronic wallet.

**Claim 24:**

With regard to the limitation for the information-processing apparatus of claim 21:

- *Electronic-value payment means is capable of making an electronic-value payment from second main apparatus to first main apparatus by acquiring an electronic value from second main apparatus and transferring said electronic value to first main apparatus.*

Takayama in at least Fig.1, Fig.2 and paragraphs [0135-145] discloses that the value apparatus (value issuing server 2) generates the electronic value between the second main apparatus (portable terminal with electronic wallet) to the first main apparatus (server 3/4).

#### ***Conclusion***

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL DANNEMAN whose telephone number is (571)270-1863. The examiner can normally be reached on Mon.-Thurs. 6AM-5PM Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Paul Danneman/

Examiner, Art Unit 3627

23 October 2009

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Supervisory Patent Examiner, Art Unit 3627